

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JACOB SCHWARTZ,

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

Plaintiff,

19 CV 5204 (AT)

-against-

CITY OF NEW YORK,

Defendant.

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**PLEASE TAKE NOTICE** that, upon the Statement of Undisputed Facts pursuant to Rule 56.1 of the Local Rules, dated September 4, 2020; the Declaration of Andrea O'Connor in Support of Defendant's Motion for Summary Judgment, dated September 4, 2020, and the exhibits annexed thereto; and Defendant's Memorandum of Law in Support of Its Motion for Summary Judgment, dated September 4, 2020, and upon all prior pleadings and proceedings herein, defendants will move this Court, before the Honorable Analisa Torres, United States District Judge, Southern District of New York, at the courthouse thereof, located at 500 Pearl Street, New York, New York, on a date and time to be determined by the Court, for an order and judgment, pursuant to Rule 56 of the Federal Rules of Civil Procedure, granting summary judgment to defendant, dismissing the complaint in its entirety, dismissing all claims in this action, entering judgment for the defendant, and granting defendants costs, fees, and disbursements together with such other and further relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Court's August 4, 2020 Order, plaintiff's opposition papers must be served and filed on or before October 6, 2020, and defendant's reply papers must be served and filed no later than October 20, 2020.

Dated:           New York, New York  
                  September 4, 2020

**JAMES E. JOHNSON**  
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City of New York  
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By:            \_\_\_\_\_  
                  /s/  
                  Andrea O'Connor  
                  Assistant Corporation Counsel

TO:    Arthur Schwartz (By ECF)

UNITED STATES DISTRICT COURT  
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*JAMES E. JOHNSON*  
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New York, N.Y. 10007

*Of Counsel: Andrea O'Connor*  
*Tel: (212) 356-4015*

*Due and timely service is hereby admitted.*

*New York, N.Y. ...., 20.....*

*....., Esq.*

*Attorney for.....*